

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA	:	1:15CR319-2
	:	
v.	:	
	:	
KIRIL IORDANOV JELIAZKOV	:	FACTUAL BASIS

NOW COMES the United States of America, by and through Ripley Rand, United States Attorney for the Middle District of North Carolina, and as a factual basis under Rule 11, Fed. R. Crim. P., states the following:

On November 6, 2015, a bank investigator contacted the Burlington Police Department (BPD) in reference to a skimming device found on a SunTrust Bank ATM in Burlington, North Carolina. SunTrust Bank's deposits were at all relevant times insured by the Federal Deposit Insurance Corporation. The bank investigator had been identifying subjects from bank surveillance cameras after skimming incidents had been reported, and discovered that the subjects had placed what appeared to be a skimming device and pinhole camera on the Burlington SunTrust ATM. The bank investigator noticed that for the prior two days (November 4 and November 5, 2015), a subject placed a skimming device and a pin-hole camera on the ATM around 6:30 p.m., and then removed the devices around 8:30 p.m. The skimming device was placed over the ATM card reader and the pin-hole camera was placed

on the topside of the ATM, with a vantage point capable of recording the entries made by customers on the ATM keypad.

Officers then covertly watched the Burlington SunTrust ATM to see if someone would retrieve the skimmer and camera, as was done for the past two days. At approximately 9:01 p.m., a man walked from a black SUV parked in a pharmacy parking lot adjacent to SunTrust Bank towards the ATM. The man reached up and pulled a long bar from the top of the ATM, later found to be the pinhole camera. When the man began to pry the skimming device from the ATM, police moved in and arrested the suspect, later identified as KIRIL IORDANOV JELIAZKOV. A search of JELIAZKOV incident to arrest yielded one pin-hole camera with mounting bar, one access device skimming device, one container Loctite super glue, one blue mini-crowbar, one roll of duct tape, one \$100 MasterCard gift card with tape on its front, one cellular telephone, one piece of duct tape used to place on the ATM's front camera, and one Bluetooth wireless earpiece. Police were unable to locate any identification or car keys in JELIAZKOV'S possession. A black 2015 Mercedes-Benz SUV parked in the adjacent pharmacy parking lot was found to have been rented by a company in Maryland. The only other car in that lot belonged to the manager of the pharmacy. The Mercedes-Benz SUV was towed, secured at an impound lot, and later searched pursuant to a federal search warrant. The contents of the vehicle included a box cutter, Loctite super glue,

a Maryland EZ-Pass toll transponder, various access device cards, cell phones, a laptop computer, computer memory sticks and storage media, and a green skimming device. Some of those items were found in a suitcase bearing a Chicago airport printed label reading in part, "GEORGIEV/STEPH".

Using a police canine, BPD officers began a track from the Mercedes-Benz SUV to look for a possible second suspect. The police canine tracked from the vehicle to the ditch line along South Church Street. During this track, police were approached by a person who said she was an Uber driver. She said she had picked up a tall male dressed in black with a foreign accent from this area at 9:28 p.m. The Uber driver told police that the man, "Stephen," wanted to go to the airport in Greensboro. The Uber did not want to drive as far as the airport, so the man instead asked to be taken to the nearest hotel. The Uber driver transported the subject to a hotel in Whitsett. BPD officers went to that hotel and spoke with a clerk, who told them that a tall male with a foreign accent, dressed in black, arrived and called another Uber driver, requesting a ride to the Greensboro airport. BPD officers then went to Piedmont Triad International (PTI) Airport in Greensboro to locate the suspect. While enroute, they called the PTI Airport Police Department and gave a description of the subject. When BPD officers arrived, PTI police had a subject detained matching the descriptions given by the Uber driver and hotel

clerk. This man was identified as STEPHEN G. GEORGIEV, and he was arrested and taken to BPD for processing. JELIAZKOV and GEORGIEV were charged with state felony offenses. On November 9, 2015, a PTI police officer notified Burlington police that they had located a set of Mercedes-Benz keys from the chair that GEORGIEV was sitting in when he was detained by PTI police officers. BPD officers later took custody of those keys, went to the impound lot where the seized Mercedes-Benz SUV was located, and found that the keys matched the Mercedes-Benz SUV.

Between November 4 and November 6, 2015, thirty-three (33) access device cards were potentially compromised through the above-described skimming activity at the Burlington SunTrust ATM, but as the account numbers of those access device cards were changed prior to any fraudulent withdrawals, there was no loss on those cards. However, investigators found similar prior activity on October 15 and 16, 2015, conducted as part of this conspiracy. That activity occurred at a SunTrust ATM in Greensboro, Guilford County, North Carolina, and among the access devices compromised was one involving a SunTrust account ending in 5107, issued to a person whose initials are J.D. An unauthorized withdrawal in the amount of \$500 had been made from J.D.'s SunTrust account following his access device card being compromised. J.D.'s account number, along with his PIN, constituted a "means of identification" under 18 U.S.C.

§ 1028(d)(7), a definition which also applies to § 1028A. The circumstances of using pinhole cameras and skimming devices to capture account numbers and the keypad input of bank patrons using their access device cards supports a reasonable finding that the conspirators here knew that the means of identification belonged to actual persons.

This the 2nd day of May, 2016.

Respectfully submitted,

RIPLEY RAND
United States Attorney

/s/ ANAND P. RAMASWAMY
ASSISTANT UNITED STATES ATTORNEY
NCSB No. 24991
United States Attorney's Office
Middle District of North Carolina
101 S. Edgeworth Street, 4th Floor
Greensboro, North Carolina 27401
Phone: (336) 333-5351

CERTIFICATE OF SERVICE

I hereby certify that on May 2, 2016, the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following: Mike Klinkosum, Esq.

Respectfully submitted,

/s/ ANAND P. RAMASWAMY
ASSISTANT UNITED STATES ATTORNEY
NCSB No. 24991
United States Attorney's Office
Middle District of North Carolina
101 S. Edgeworth Street, 4th Floor
Greensboro, North Carolina 27401
Phone: (336) 333-5351